

Amendments 145 and 736 are re categorized to the Economic Development category.

Amendments from the Judiciary Category: 39, 70, 117, 151, 163, 251, 284, 361, 362, 364, 365, 368, 393, 426, 470, 528, 554, 602, 619, 647, 650, 651, 658, 660, 662, 664, 709, 710, 726, 728, 737, 772, 842, 844, 865, 891, 908, 941, 969, 982, 1107, 1189, 1238, 1244, 1249, 1393, 1424, 1429, 1434, 1513, 1558, and 1561.

Amendments from the Public Safety Category: 6, 20, 28, 30, 59, 68, 69, 98, 111, 125, 129, 136, 144, 145, 147, 149, 153, 184, 188, 201, 227, 228, 317, 336, 352, 397, 400, 411, 420, 427, 442, 443, 444, 459, 468, 471, 526, 531, 532, 552, 562, 563, 584, 589, 616, 624, 633, 634, 637, 638, 659, 678, 683, 724, 734, 736, 745, 747, 749, 751, 770, 833, 854, 861, 877, 916, 922, 923, 946, 964, 996, 1012, 1014, 1043, 1089, 1122, 1123, 1134, 1141, 1165, 1173, 1192, 1220, 1260, 1270, 1271, 1274, 1276, 1277, 1297, 1301, 1352, 1354, 1418, 1420, 1427, 1464, 1466, 1518, 1536, 1538, 1539, 1540, 1542, 1548, 1549, 1580, and 1595.

Mr. DeLeo of Winthrop and others move to amend H. 4900 in section 2, in item 0321-2100, by striking out the figure “\$800,000” and inserting in place thereof the following figure: “\$820,000”.

and move to further amend the bill in section 2, line item 0321-1510, by striking the words “section 12” and inserting in place thereof the following: section 11.

and move further to amend the bill in section 2, line item 0330-0300, by striking out the date “November 1, 2006” and inserting in the place thereof “April 1, 2007”.

and move further to amend the bill in item 0330-0300 in line 18 by inserting after the words “said date;” the following: “provided further, that the chief justice for administration and management shall, in consultation with the chief justice of the juvenile court department and the commissioner of the department of capital asset management, submit a report on or before October 1, 2006 assessing the feasibility of expanding the leased space currently utilized by the Dedham Session of the Norfolk County Division of the Juvenile Court Department at 55 Allied Drive in Dedham and renegotiating the existing lease for such premises; provided further, that notwithstanding any general or special law to the contrary, on or before January 1, 2007 the chief justice for administration and management shall, in consultation with the division of capital asset management, secure suitable facilities to locate and operate the third district court of Essex at Ipswich within the town of Ipswich; provided further, that in the event that said chief justice for administration and management is unable to locate and secure such suitable facilities within the town of Ipswich by January 1, 2007, the chief justice shall submit a report to the house and senate committees on ways and means and the joint committee for the judiciary not later than February 1, 2007, detailing a plan to equitably redistribute all civil and criminal business and personnel of the third district court of Essex at Ipswich to other district courts within Essex County;”

And move further to amend the bill in section 2 by striking out line item 0330-0410 and inserting in place thereof the following:-

0330-0410 For alternative dispute resolution services for the trial court; provided, that the services shall be made available to the extent possible in connection with child care, protection and custody proceedings in juvenile and probate courts; provided further, that not less than \$25,863 shall be expended for the Housing Services and Mediation Program operated by the Berkshire County Regional Housing Authority in Pittsfield; provided further, that not less than \$29,558 shall be expended for Berkshire Mediation Services Inc.; provided further that not less than \$44,337 shall be expended for North Central Court Services, Inc.; provided further, that not less than \$40,000 shall be expended for the North Shore Community Mediation Program in Salem; provided further, that not less than \$48,032 shall be expended for Metropolitan Mediation Services; provided further, that not less

than \$62,811 shall be expended for Mediation Works, Inc; provided further, that not less than \$50,000 shall be expended for Quabbin Mediation in Athol; provided further, that not less than \$50,000 shall be expended for the Mediation and Training Collaborative of Franklin County in Greenfield; provided further, that not less than \$50,000 shall be expended for Framingham Court Mediation Services; provided further, that not less than \$50,000 shall be expended for the Cape Cod Dispute Resolution Center; provided further, that not less than \$50,000 shall be expended for the Community Dispute Settlement Center, Inc., of Cambridge; provided further, that not less than \$50,000 shall be expended for the Greater Brockton Center for Dispute Resolution; provided further, that not less than \$48,031 shall be expended for the Somerville Mediation Program; provided further, that not less than \$48,032 shall be expended for the Middlesex Multi-door Court House Program; and provided further, that not less than \$30,000 shall be expended for the Martha's Vineyard Mediation Program; and provided further, that not less than \$42,737 shall be expended for Dispute Resolution Services, Inc. in the city of Springfield; and provided further, that not less than \$50,000 shall be expended for Community Mediation of Worcester\$842,737

and move further to amend the bill in section 2, in item 0330-0441 by striking out the figure“\$476,598”and inserting in place thereof the following:-“\$540,000”

and move further to amend the bill in section 2 by inserting after line item 0331-3404, the following line item:-“0331-3404 For an education and community outreach pilot program to be administered in the Suffolk superior court..\$178,902”

and move further to amend the bill in section 2, line item 0332-6300, by striking out the figures“\$804,083” and inserting in place thereof the figures“\$831,083”.

and move further to amend the bill in section 2, line item 0333-1313, by striking out the figures“\$191,719” and inserting in place thereof the figures“\$250,000”.

and moves further that the bill be amended in section 2, in item 0333-1411, by striking out the figure ‘\$169,362’and inserting in place thereof the figure“\$189,362.

and move further to amend the bill in section 2, in line item 0337-0300, by adding the following:-“provided further, that \$145,841 shall be expended for the CASA program in the Springfield Juvenile Courts.”

and move further to amend the bill in section 2, in line item 0337-0400, by adding the following:-“provided further, that \$72,920 shall be expended for the CASA program in the Worcester Juvenile Court.”

and move further to amend the bill in section 2, in line item 0337-0600, by adding the following:-“provided further, that \$100,000 shall be expended for the CASA program in the Lawrence Juvenile Court”

and move further to amend the bill in section 2, in line item 0337-0700, by adding the following:-“provided further, that \$77,478 shall be expended for the Franklin/Hampshire CASA program, including the Northampton, Greenfield, Orange and Ware District Courts.”

and move further to amend the bill in section 2, in line item 0337-0800, by adding the following:-“provided further, that \$72,920 shall be expended for the CASA program, in Plymouth County Juvenile Courts.”

and move further to amend the bill in section 2, in line item 0337-0900, by adding the following:–‘provided further, that \$54,690 shall be expended for a Berkshire CASA program, in the Berkshire County Juvenile Courts.’

and move further to amend the bill by striking out line item 0339-1001, and inserting in the place thereof the following:-

0339-1001 For the office of the commissioner of probation; provided, that notwithstanding the any general or special law, rule or regulation to the contrary, the commissioner, subject to appropriation, shall have exclusive authority to appoint, dismiss, assign and discipline probation officers, associate probation officers, probation officers-in-charge, assistant chief probation officers and chief probation officers; provided further, that the associate probation officers shall only perform in-court functions and shall assume the in-court duties of the currently employed probation officers who shall be reassigned within the probation service subject to collective bargaining agreements to perform intensive, community-based supervision of probationers, including the provisions of intensive supervision and community restraint services as described in item 0339-1004; provided further, that no funds shall be expended from this line item to cover the costs of building leases; provided further, that notwithstanding any general or special law, rule or regulation to the contrary, probation officer personnel and probation clerical support staff assigned to the courts shall be provided with suitable office space in their current location in and around the various divisions and departments of the trial court, as the case may be, or in suitable office space as appropriate, with the advice and consent of the commissioner; provided further, that there shall be two regional program managers funded from this item who shall be responsible for the oversight of the management and daily operation of the probation electronic monitoring program; provided further, that the office shall enter into an interagency service agreement with the department of revenue to verify income data and to utilize the departments wage reporting and bank match system for the purpose of weekly tape-matching, so-called, for the purposes of determining an individual's eligibility for appointment of indigent counsel, as defined in chapter 211D of the General Laws; provided further, that not less than \$100,000 shall be expended for the purpose of funding the position an academy coordinator (1) and custodial staff (1), at the Central Massachusetts Probation Training Academy located in the town of Clinton; provided further, that the office shall submit quarterly reports to the house and senate committees on ways and means detailing the progress of eligibility verification with the department; and provided further, that the report shall include, but not be limited to, the number of individuals to be found misrepresenting assets, revenue generated through collection of indigent client fees, the average indigent client fee that each court division collects per case since the effective date of this act, recommendations on improvements in verifying eligibility for counsel and other pertinent information to ascertain the effectiveness of verification \$129,049,842

and move further to amend the bill in section 2, in item 0339-1003, by striking out the figures‘\$5,787,043’ and inserting in place thereof the figures‘\$5,862,043’.

and move to further amend the bill in section 2 in item 0340-0100 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-0200 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-0300 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-0400 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-0500 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-0600 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-0700 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-0800 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-0900 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and move further to amend the bill in section 2 in item 0340-1000 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000; and provided further that \$20,000 may be expended to the Cape and Islands Child Advocacy Center”

and move further to amend the bill in section 2 in item 0340-1100 by striking out“\$35,000’ and inserting in place thereof the following:–“\$40,000’

and moves further to amend the bill in section 2, in item 1599-5100, by striking out the figure“\$1,375,998’ and inserting in place thereof the following:–\$1,775,998.

and move further to amend the bill in section 2 by striking out line item 8000-0000 and inserting in place thereof the following:—

8000-0000 For the office of the secretary, including the administration of the committee on criminal justice and the highway safety bureau to provide matching funds for a federal planning and administration grant pursuant to 23 U.S.C. section 402; provided, that \$500,000 shall be expended for the distribution of grants for city and town student awareness of fire education programs, to be known as S.A.F.E programs, which shall include information about the fire risks caused by smoking; and provided further, that not less than \$150,000 shall be expended for the purpose of a targeted control substance interdiction pilot program to be administered jointly by the district attorney for Suffolk county and the chiefs of police for the city of Revere and the town of Winthrop..... \$2,798,049

General Fund..... 15.0%

Highway Fund..... 85.0%

8000-0050 For the firefighting equipment grant program for fire departments of every city, town, fire district and authority of the commonwealth to be administered by the executive office of public safety, provided that grants shall be distributed to municipalities according to a formula giving equal weight to each municipalities population; provided further, that eligible fire safety equipment under this program shall include, but is not limited to, turnout gear, hand-held power lights, communication devices, telephones, personal alert safety systems, so-called, air packs, tanks, compressors, thermal imaging devices and computerized personnel accountability systems, but shall exclude firefighter apparatus and vehicles; provided further that grants awarded by said executive office to a municipality under said program shall not be utilized for the purpose of personnel costs unless such costs constitute 50 percent or less of the total grant award; provided further that no grant shall be awarded to the department of fire services; provided further that not later than February 1, 2007, the executive office of public safety shall submit a report to the house and senate committees on ways and means and to the secretary for administration and finance detailing the amount of grants awarded to said grant recipients and descriptions of said grants and each municipality will provide the executive office of public safety with a comprehensive list of the best-practices that have been instituted as a result of these grants \$2,500,000

and move to further amend the bill in section 2, by striking out item 8000-0110 and inserting in place thereof the following item:“

8000-0110 For the operation of the criminal history systems board; provided, that the board shall fund 1 administrative assistant who shall be employed in the victim services unit of the board for the continued and enhanced operation of the post-conviction victim and witness certification program operated pursuant to chapter 258B and clause (c) of the first paragraph of section 172 of chapter 6 of the General Laws; provided further, that said victim services position shall be in addition to any such positions approved as of February 1, 1998; provided further, that not more than \$75,000 shall be expended for the purpose of enabling local housing authorities access to criminal offense information when qualifying applicants for state-assisted housing; provided further, that the board shall, not later than September 30, 2006, adopt regulations to: a) assure that the distribution of criminal offender record information relates to the individual for whom the request has been made; b) afford practical assistance in corrections to a criminal offender record information report to an individual who submits evidence to the board that any charges in a criminal offender record information report distributed by the board and purportedly relating to that individual, in fact, do not relate to that individual; c) limit the distribution of criminal offender record information to conviction data and data regarding any pending criminal charge, except as otherwise authorized by law; and d) require that any entity other than a criminal justice agency that receives a criminal offender record information report from the board as to an individual and, as a result of that report is inclined to make an adverse decision as to the individual, shall, before making a final decision,

afford the individual an opportunity to dispute the accuracy and relevance of the criminal offender record information report; and provided further, that not later than January 1, 2007, the board shall file a report with the house and senate committees on ways and means detailing the steps the board has taken to implement the preceding proviso and the success of those steps in improving the accuracy of the criminal offender record information system \$3,176,130

General Fund..... 50.0%
Highway Fund..... 50.0%

and move further to amend the bill in section 2 by striking out line item 8200-0200 and inserting in place thereof the following:—

8200-0200 For the operation of veteran, reserve and in-service training programs conducted by the municipal police training committee; provided, that the committee shall expend not less than \$250,000 in accordance with chapter 30B of the General Laws, for training and technical assistance for chiefs of police and administrative or command personnel by: a) a combination of training manuals, seminars, computer based training and distance learning; b) research, drafting and mailing of monthly articles and presentations on legal and administration topics; c) training presentations during and following monthly meetings of policy chiefs; d) e-mail, toll-free consultation to chiefs on administrative issues and follow-up on seminar topics; e) a state-wide 3 day training conference on management, legal and leadership issues; provided further, that under no circumstances shall any expenditures authorized by this item be charged to item 8200-0222; provided further, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item; and provided further, that not less than \$25,000 be provided for the purpose of additional rental and utility payments to the town of Boylston \$3,339,036

and move further to amend the bill in section 2 by striking out line item 8324-0000 and inserting in place thereof the following:—

8324-0000 For the administration of the department of fire services, including the state fire marshal's office, the hazardous materials emergency response program and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training, and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office and the Massachusetts firefighting academy shall be assessed upon insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receiving notice of such assessment from the commissioner of insurance; provided further, that

notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the operation of the hazardous materials emergency response program shall be assessed upon insurance companies writing commercial multiple peril, non-liability portion, policies on property situated in the commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; provided further, that \$100,000 shall be expended to Norfolk County for the purpose of the establishment of the Norfolk County dispatch center; provided further, that notwithstanding any general or special law to the contrary, funds scheduled in the PP object class, pursuant to section 27 of chapter 29 of the General Laws for this item in fiscal year 2007 shall not be transferred to any other object class in said fiscal year; provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative costs of the program; provided further, that the expenses of the board of fire prevention regulations, pursuant to section 4 of chapter 22D of the General Laws, shall be paid from this item; and provided further, that not less than \$100,000 be expended for the administration of a statewide program to provide for critical incident stress intervention for the fire departments of the cities, towns, and fire districts of the commonwealth including, but not limited to, consultant services, training, equipment, and supplies\$10,927,047

and moves that the bill be further amended in section 2, in item 8800-0300 by adding at the end thereof the following:“provided further that not less than \$75,000 shall be expended for the phase two of the C-10 monitoring project in Newburyport”

and moves to further amend the bill in said section 2 of said item 8800-0300 by striking the figure“\$90,356” and inserting in place thereof the following:“\$165,356”.

and move further to amend the bill in section 2 by striking out line item 8900-0001 and inserting in place thereof the following:—

8900-0001 For the operation of the commonwealth's department of correction; provided, that the department shall expend not less than \$1,010,500 to cities and towns hosting facilities; provided further, that one-half of the number of inmates incarcerated at Souza Baranowski correctional center shall be deemed to be incarcerated within a correctional facility in the town of Shirley and one-half shall be deemed to be incarcerated within a correctional facility in the town of Lancaster; provided further, that not less than \$192,000 shall be expended for the Community that host the Bay State Correctional Center; provided further, that before closing any correctional facility, the commissioner of corrections and the secretary of public safety shall report to the house and senate committees on ways and means and public safety on the per-inmate cost of incarceration in the closing facility, and the per inmate cost in the facilities to which inmates will be moved; provided further that not less than \$40,000 shall be provided for the Dismas House, so-called, in the city of Worcester; provided further, the commissioner of corrections and the secretary of public safety shall report to the house and senate committees on ways and means and public safety before January 1 of each year the point score compiled by the department of

correction's objective classification system for all prisoners confined in each prison operated by the department; provided further that not less than \$100,000 shall be expended to the Black Men of Greater Springfield, Inc., so-called, in Springfield to act as the lead agency for programs to reduce incarcerations, recidivism, gang-violence, and promote good citizenship; provided further, that the department shall expend not less than \$600,000 to the community hosting the facility at Cedar Junction; and provided further, that not less than \$200,000 shall be provided for the Aid to Incarcerated Mothers organization\$452,485,340

and move to further amend the bill in said section 2 in item 8910-0110 by striking the figure‘\$11,309,721’ and inserting in place thereof the following:-\$12,005,793.

and move to further amend the bill in section 2, in item 8900-1100 by inserting at the end thereof the following:-and provider further that not less than \$200,000 shall be expended for the operation of SPAN, Inc.

DeLeo Further Amendment

Mr. DeLeo of Winthrop hereby moves to further amend the consolidated amendment in lines 27, 28 and 29 by striking the phrase “town of Ipswich” in both instances and inserting in place thereof the following:- “territorial jurisdiction of said district court”; and moves to further amend the bill in section 2 in item 8100-0000 by inserting after the words “Worcester:” the following:- provided, further, that the department may also expend money to curb gang-related activities in other communities as deemed necessary by the department.